



New South Wales

Public Health (COVID-19 Air Transportation Quarantine) Order (No 4) Amendment (Omicron Variant) 2021

under the

Public Health Act 2010

I, the Minister for Health and Medical Research, make the following Order under the *Public Health Act 2010*, section 7.

Dated 27 November 2021.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Public Health (COVID-19 Air Transportation Quarantine) Order (No 4) Amendment (Omicron Variant) 2021

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1 Name of Order

This Order is the *Public Health (COVID-19 Air Transportation Quarantine) Order (No 4) Amendment (Omicron Variant) 2021*.

2 Commencement

This Order commences at the beginning of 28 November 2021.

Schedule 1 Amendment of Public Health (COVID-19 Air Transportation Quarantine) Order (No 4) 2021

[1] Part 3A

Insert after Part 3—

Part 3A Special provisions in response to emergence of Omicron variant

20A Introduction

This Part sets out directions of the Minister in response to the emergence of the Omicron variant of COVID-19.

20B Persons arriving in NSW from countries of concern

- (1) Clause 8 extends to a relevant person, whether or not the person is a fully vaccinated arrival, who—
 - (a) arrives in New South Wales by aircraft, whether the flight originates interstate or overseas, and
 - (b) has, within 14 days immediately before the person's arrival in New South Wales, been in a country of concern.

Note— Clause 8 contains requirements for persons arriving in NSW who are not fully vaccinated persons.
- (2) This clause does not apply to a relevant flight crew member.

20C Persons who arrived in NSW from countries of concern before this Part commenced

- (1) This clause applies to a relevant person, whether or not the person was a fully vaccinated arrival, who—
 - (a) arrived in New South Wales by aircraft before the commencement of this Part, whether the flight originated interstate or overseas, and
 - (b) has, within 14 days immediately before the commencement of this Part, been in a country of concern.
- (2) The person must—
 - (a) undergo a test for COVID-19 as soon as practicable, and
 - (b) travel to the person's residence or a place suitable for the person to reside in by the most practicable direct route, and
 - (c) self-isolate for a period of 14 days in accordance with clause 6 of the Self-Isolation Order as if the person were a diagnosed person, and
 - (d) immediately contact NSW Health on 1800 943 553.
- (3) This clause does not apply to a relevant flight crew member.

20D Persons arriving in NSW from other countries

- (1) This clause applies to a relevant person, whether or not the person is a fully vaccinated arrival, who—
 - (a) arrives in New South Wales by aircraft, whether the flight originates interstate or overseas, and
 - (b) has, within 14 days immediately before the person's arrival in New South Wales, been in another country, but not a country of concern.

- (2) The person must—
- (a) undergo a test for COVID-19 as soon as practicable, but no later than 24 hours after the person’s arrival, and
 - (b) travel to the person’s residence or a place suitable for the person to reside in by the most practicable direct route, and
 - (c) self-isolate for a period of 3 days in accordance with clause 6 of the Self-Isolation Order as if the person were a diagnosed person.
- (3) This clause does not apply to a relevant flight crew member.
Note— Part 3 continues to apply to fully vaccinated arrivals.

20E Overseas flight crew members

Clause 16(2)–(5) extends to a relevant flight crew member, including a relevant flight crew member who arrived in New South Wales before the commencement of this Part.

Note. Clause 16 contains requirements for unvaccinated overseas flight crew members arriving in NSW.

20F Relationship with other Parts of Order

If a provision of this Part is inconsistent with a provision under another Part of this Order, the provision of this Part prevails to the extent of the inconsistency.

20G Meaning of “most practicable direct route”

In this Part, a requirement for a person to take the most practicable direct route does not prevent the person—

- (a) if the person is travelling by road—
 - (i) obtaining fuel for the vehicle or other necessary supplies for the vehicle or a person in the vehicle, or
 - (i) taking a rest stop, including an overnight rest stop or meal break, or
 - (iii) dealing with an emergency, or
- (b) if the person is travelling by rail or air—
 - (i) travelling directly to suitable accommodation while waiting to transit out of the State if the person self-isolates until the transit, or
 - (ii) dealing with an emergency.

[2] Schedule 1 Dictionary

Insert in alphabetical order—

country of concern means the following—

- (a) Botswana,
- (b) Eswatini,
- (c) Lesotho,
- (d) Malawi,
- (e) Mozambique
- (f) Namibia,
- (g) Seychelles,
- (h) South Africa,

- (i) Zimbabwe.